

**FILED**

IN THE UNITED STATES DISTRICT COURT FOR

**DEC 12 2007**

THE WESTERN DISTRICT OF OKLAHOMA

ROBERT D. DENNIS, CLERK  
U.S. DIST. COURT, WESTERN DIST. OF OKLA.  
BY J.N. DEPUTY

BERTHA A. RICHARDSON,

Plaintiff,

vs.

No. CIV-06-940-W

MICHAEL J. ASTRUE,  
Commissioner of Social Security  
Administration,

Defendant.

**ORDER**

On November 20, 2007, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this matter and recommended that the Court affirm the decision of defendant Michael E. J. Astrue, Commissioner of Social Security Administration ("Commissioner"), denying the plaintiff's Application for Disability Insurance Benefits. Plaintiff Bertha Richardson was advised of her right to object, but she did not file any objections to the Report and Recommendation within the allotted time.

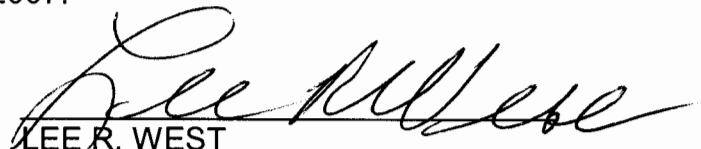
Upon review of the record, the Court concurs with Magistrate Judge Purcell's suggested disposition of this matter. The Court finds that the Commissioner based his decision on substantial evidence and that he applied the correct legal standards. E.g., Lax v. Astrue, 489 F.3d 1080, 1084 (10<sup>th</sup> Cir. 2007)

Accordingly, the Court

- (1) ADOPTS the Report and Recommendation issued on November 20, 2007;
- (2) AFFIRMS the Commissioner's decision to deny Richardson's Application for Disability Insurance Benefits; and

(3) ORDERS that judgment in favor of the Commissioner issue forthwith.

ENTERED this 12<sup>th</sup> day of December, 2007.

  
LEE R. WEST  
UNITED STATES DISTRICT JUDGE